

Interview Summary	Application No.		Applicant(s)	
	09/944,389		DAVIS ET AL.	
	Examiner		Art Unit	
	Bao-Thuy L. Nguyen		1641	

All participants (applicant, applicant's representative, PTO personnel):

(1) Bao-Thuy L. Nguyen - PTO. (3)_____.

(2) Marina Larson - App. Rep. (4)_____.

Date of Interview: 02 March 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: All of record.

Identification of prior art discussed: All of record.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: We discussed the 103 rejection of claim 26. Specifically, Eisinger, in places where particulate label is taught, it specifically teaches placing the labels on the carrier itself (in the application zone 102 for example). We also discussed the possibility that a declaration showing side by side comparison of the claimed invention versus that of Eisinger (where the particulate labels is disposed on the carrier) showing improved results can be submitted to overcome the Eisinger reference. With respect to claim 84, after discussing the "capture reagent", we came to the conclusion that support may not be found in the specification, therefore, it would have to be cancelled or amended to recite that the capture reagent is immobilized in the detection zone (consistent with the description of the device on pages 1-2 of the specification).